

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS
MINUTES**

DATE: June 5, 2006

TIME: 9:00 a.m. C.D.T

LOCATION: Cumberland Room
Ground Floor, Cordell Hull Building
425 5th Avenue North
Nashville, TN 37247-1010

MEMBERS PRESENT: Mark Davis, Vice-Chair, NHA
Katy Gammon, HCF Director, Ex Officio
Norma Lester, RN, NHA
Craig Laman, NHA
Kathryn Wilhoit, RN, NHA
Palyce Jones, RN, NHA
Susan Carson, Citizen

MEMBERS ABSENT: Robbie Bell, HRB Director, Ex Officio
Harold Walker, Chair, NHA
Jennifer Johnson, M.D.

STAFF PRESENT: Marva Swann, Unit Director
Ernest Sykes, Advisory Attorney
Jerry Kosten, Regulations Manager

STAFF ABSENT: Karen Robinson, Board Administrator
Lea Phelps, Disciplinary Coordinator

GUEST: Richard Russell, Legal Counsel, THCA

With a quorum being present, Mr. Walker called the meeting to order at 9:10 a. m.

Consent Of Interest

Mr. Sykes reviewed the Conflict of Interest Policy and reminded the Board members of their responsibilities under the policy and instructed each new Board member to sign the policy and submit it to the Board administrator to be placed in their files.

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Roll Call Vote

Mr. Kosten presented to the Board for a roll call vote a rulemaking hearing held on May 19, 2006 regarding:

- a. requests for disciplinary stays and reconsiderations, and
- b. retaking of licensure examinations.

There was one comment submitted by Richard Russell, Legal Counsel for the Tennessee Health Care Association. The comment was a suggestion to eliminate any confusion regarding the nature and source of the Board's consultant/designee's authority with language clarifying that the Board had vested this individual with the authority to perform certain acts on its behalf.

After much discussion, a motion was made by Mr. Laman and seconded by Ms. Lester to approve the rulemaking hearing to amend the Rules as presented. The motion carried with a unanimous vote.

Discussion of possible minimal educational requirements for applicants who seek licensure based on experience

A motion was made by Mr. Laman and seconded by Ms. Wilhoit to defer this discussion until a later meeting. The motion carried.

Minutes

A motion was made by Ms. Wilhoit and seconded by Mr. Laman to approve the minutes of the March 6, 2006 board meeting. The motion carried.

Applicant Review/File Review

Tesa Brown—Ms Brown appeared before the Board requesting approval in an A.I.T. program with a Bachelor's degree in health care administration. She is currently enrolled in a Masters degree program with an anticipated completion in May, 2007. A motion was made by Mr. Laman and seconded by Ms. Jones to approve Ms. Brown for a six (6) months A.I.T. Ms. Wilhoit recused. The motion carried.

Jennifer Hanson—Ms. Hanson appeared before the Board requesting approval through reciprocity. She currently holds a license in Michigan. Ms. Hanson gave explanation of her prior hospital administration experience. A motion was made by Ms. Wilhoit and seconded by Mr. Laman to approve Ms. Hanson for licensure pending her passing the jurisprudence examination. The motion carried.

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James Williford—Mr. Williford's file was brought before the Board at his request to receive approval to enter a six (6) months A.I.T. program with a Master's degree in guidance and counseling. A motion was made by Mr. Laman and seconded by Ms. Wilhoit to approve Mr Williford for a six (6) months A.I.T. program. Mr. Davis recessed. The motion carried.

Jo Park—Ms. Park appeared before the Board to request a waiver of having to retake the NAB examination in order to reinstate her lapsed license. Ms. Park gave testimony and presented sworn affidavits from Amy Grisham, Administrator and Tammie Alexander of Park Rest Hardin County Health Center that Ms. Park has not acted as Administrator since the year 2000. Due to this fact, she will not have to pay a civil penalty for practicing on a lapsed license. Ms. Park has also submitted all continuing education. However, it was explained to Ms. Park that she must retake the NAB examination due to the amount of time since her license lapsed pursuant to the Board's rules 1020-1-11, (5).

John Simonton & Julie Roberts—John Simonton, preceptor for Julie Roberts, A.I.T. appeared before the Board to give an explanation regarding Ms. Roberts' failing the NAB twice. Ms. Roberts did not appear. Mr. Simonton explained that Ms. Roberts suffers from test anxiety and that she has since obtained sample test material from the NAB to aid her in passing the examination in the future.

Office of General Counsel Report

Mr. Sykes presented the OGC report in which she gave the status of the following rules:

- *Face to Face A.I.T. Training* [1020-1-.01, .06, .13]—The rulemaking notice was filed and the rule went to hearing on January 20, 2005. The Board approved the amendment on March 7, 2005, and it was sent to the Attorney General on April 7, 2005. It became effective on February 22, 2006.
- *Criminal Background Checks* [1020-1-.08]—(05-1162) The rulemaking notice was filed and the rule went to hearing on May 23, 2005. The Board approved the amendment on June 6, 2005, and it was sent to the Attorney General on June 16, 2005. It became effective May 31, 2006.

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Screening Panels, Preceptor CE, CE Deadlines, Titles, Advertising, Etc. [1020-1-.03, .06, .08, .12, .16, .18] – (05-1360) The rulemaking notice was filed and the rule went to

- hearing on October 19, 2005. The Board approved the amendment on November 7, 2005, and it was sent to the Attorney General on January 5, 2006. It is still there.
- *Exam Retakes, Stays* [1020-1-.03, .10, .15] – (06-1091) The rulemaking notice was filed on March 6, 2006 and the rule went to hearing on May 19, 2006. It is before the Board this meeting for a roll-call vote as to final approval.

Administrative Reports

Ms. Swann presented the statistical reports which indicate the following:

Nursing Home Administrators	Nursing Home Administrators
January 2006	May 2006
Active Licensees – 762	Active Licensees – 767
Retired Licensees –762	Retired Licensees – 796
Failed to Renew – 652	Failed to Renew - 656

PERFORMANCE MEASURES

<i>Performance Measure</i>	<i>Goal</i>	<i>July – Dec 2005</i>
Renewal Processing Time	14 days	3.81days
Application Processing Time	100 days	229 days

The application processing time is directly relative to the length of the A.I.T. program, the length of the NAB examination process, and the length of the state Jurisprudence examination and the success or lack thereof, of the applicants on the examinations.

BUDGET/TRAVEL ISSUES

Ms. Swann presented to the Board that no one is to make any arrangements prior to receiving approval; and when making travel arrangements, such as purchasing airline tickets, you must go through World Travel Services, Inc. at 1-866-835-9979. To go through World Travel Services you must identify that you are with the State of Tennessee and provide them with the Board's budget and allotment code which can be obtained from the Board Director or Administrator. The mileage rate is .42 a mile.

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Investigative And Disciplinary Reports

Ms. Swann presented the Investigative report which indicated that there were six (6) open complaints in investigations as of December 2005. Seven (7) complaints closed; six (6) closed no action, one (1) closed with a letter of warning.

Ratifications

New Licensees:

Eric S. Collins
Stephen F. Flatt
Gregory S. Goins
Lakecia M. Harper
Angela D. Kennedy

Selena M. Knox-Binion
Rita C. Koon
Ron Tagatz
Michael A. Wheeler
Robert J. Young, Jr.

Reinstatements:

Michael w. Cunningham
John M. Pugh
Mitzi G. Whittin

Discuss and vote on continuing education course approval

Berverly Lowery submitted a request for Centers for Medicare and Medicaid continuing education course approval. The Board reviewed the documentation and made a recommendation to approve the C.E. courses. The Vice-Chair, Mr. Davis asked that it be sun shined to the next meeting that the Board appoint a designee to review and approve C.E. courses not otherwise listed as Board acceptable.

Adjournment

There being no further business, the meeting was adjourned at 11:35 a.m.

Norma Lester Secretary

Date

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